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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,501	12/06/2001	Paul R. Dodge	170-95-014D1	5337

128 7590 05/22/2003
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EXAMINER

FREAY, CHARLES GRANT

ART UNIT PAPER NUMBER

3746

DATE MAILED: 05/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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DATE MAILED:

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Commissioner for Patents

The papers filed on December 26, 2002 proposes amendments which do not comply with 37 CFR 1.173(b). for the reasons set forth on the attached sheets. Additionally, issues with regards to the Ownership and the Power of Attorney have been raised. Therefore, the papers received December 26, 2002 have been found non-responsive and a shortened statutory period for reply to this letter has been established.

Charles G Freay
Primary Examiner
Art Unit: 3746

Reissue Applications

The amendment filed December 26, 2002 proposes amendments to the specification and the drawings that do not comply with 37 CFR 1.173(b), which sets forth the manner of making amendments in reissue applications. A supplemental paper correctly amending the reissue application is required.

A shortened statutory period for reply to this letter is set to expire ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this letter.

The amendments to the specification must be made relative to the corresponding passage in the original patent and include bracketing for deletions and underlining for insertions. Further, the amendments to the drawings must also be made relative to the drawings in the original patent.

Power of Attorney & Establishment of Ownership under 37 CFR 1.172

The examiner notes that all of the papers filed on December 26, 2002 have been signed by Harold L. Marquis. There has not been a Power of Attorney filed for Mr. Marquis. Further, it is noted that the papers filed December 26, 2002 include a declaration under 37 CFR 1.178 and a Recordation Form Cover Sheet which seem to indicate that ownership of the patent has transferred from Honeywell International Inc. to Vericor Power Systems LLC. The original Declaration and Statement under 37 CFR 3.73(b) set forth that Allied Signal was the Assignee. It is noted that the address of the assignee included Honeywell International Inc.. The chain of title from the inventors and

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Allied Signal to Honeywell International and then further to Vericor Power Systems must be established. Further, proper powers of attorney must be filed if Robert Desmond et al are no longer the attorneys or agents appointed to prosecute the application by the assignee. Additionally, the Declaration under 37 CFR 1.178 is insufficient because it does not show that attempts were made to get the patent from its original assignee, Allied Signal.

Consent of Assignee

Finally, it is pointed out that a reissue application requires a written consent of the assignee. In the event that Vericor is established as the current owner of US Pat. No. 5,718,112 the original consent statement filed by Allied Signal would be invalid and a new consent statement must be submitted by Vericor Power Systems.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles G Freay whose telephone number is (703)308-0639. The examiner can normally be reached on Monday through Friday 10:00 A.M. to 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Thorpe can be reached on (703)308-0102. The fax phone numbers for the organization where this application or proceeding is assigned are

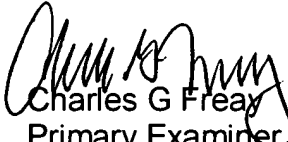
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(703)872-9302 for regular communications and (703)872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0861.


Charles G Freay
Primary Examiner
Art Unit 3746

CGF
May 6, 2003